



**Comment on Translation and
Transliteration of Contact
Information PDP Initial
Report**

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Business Constituency Submission

GNSO//CSG//BC

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

The BC appreciates the opportunity to comment on the Translation and Transliteration of Contact Information PDP Initial Report. We especially appreciate the effort the Working Group has made to thoroughly lay out the arguments on all sides of the issues in its report.

Charter Question 1: *Is it desirable to translate contact information to a single common language or transliterate contact information to a single common script?*

Currently all data returned from the Whois database in generic top level domains (gTLDs) are provided in ASCII, and such uniformity renders it a very useful global resource.

At this stage ASCII/English are the most common script/language choices. Mandatory transformation would avoid possible flight by bad actors to the least translatable languages.

Charter Question 2 and Preliminary Recommendations: *Who should decide who should bear the burden [of] translating contact information to a single common language or transliterating contact information to a single common script?*

Preliminary Recommendation #1 *The Working Group could recommend that it is not desirable to make transformation of contact information mandatory. Any parties requiring transformation are free to do it ad hoc outside the Domain Name Relay Daemon.*

The BC strongly disagrees with this recommendation. Mandatory transformation to globally accessible and searchable languages is necessary to the continued development of a secure and trusted Internet. The value of the database as a global resource stems entirely from its ability to be accessible uniformly in globally searchable languages. Without a mandatory requirement, bad actors will be incentivized to migrate to languages least likely to be translated in order to deter enforcement related actions or avoid them altogether. Requiring transformation into an identified language or languages is consistent with the approach taken in similar databases that are used for international purposes, such as European Community Trademarks (registered in 12 languages) and International Trademark Registrations (which covers 92 territories and is available in 3 languages).

The fact that there is a cost associated with such transformation is not a legitimate reason to adopt a *voluntary* arrangement. In fact, it is the opposite. There is a likelihood that, absent a requirement, some would choose not to voluntarily provide data in the globally accessible format, giving those seeking to hide their identity the opportunity to exploit the system.

Preliminary Recommendation #2 *The Working Group could recommend that any new Registration Directory Service (RDS) databases contemplated by ICANN should be capable of receiving input in the form of non-Latin script contact information. However, all data fields of such a new database should be tagged in ASCII to allow easy identification of what the different data entries represent and what language/script has been used by the registered name holder.*

The BC supports this recommendation. If transformation is not mandatory the BC further suggests that data fields should be required to be in selectable text and not a text image. In a multi-language environment it is possible that users will be presented with script they cannot enter using their computer. Selectable text will facilitate a user's ability to select the text for translation or other investigation.

Preliminary Recommendation #3 *The Working Group could recommend that registered name holders enter their contact information data in the language or script appropriate for the language that the registrar operates in.*

The BC supports this recommendation provided the transformation to ASCII is mandatory. We suggest that the language of the registrar's Terms of Service be used to determine the appropriate language.

Preliminary Recommendation #4 *The Working Group could recommend that the registrar and registry assure that the data fields are consistent, that the entered contact information data are verified (in accordance with the Registrar Accreditation Agreement (RAA)) and that the data fields are correctly tagged to facilitate transformation if it is ever needed.*

BC supports mandatory transformation but otherwise supports the recommendations that the registrar and registry assure that fields are consistent, the data is verified, and that data fields are correctly tagged to facilitate transformation.

Preliminary Recommendation #5 *The Working Group could recommend that if registrars wish to perform transformation of contact information, these data should be presented as additional fields (in addition to the local script provided by the registrant), to allow for maximum accuracy.*

BC supports mandatory transformation but otherwise supports the recommendation that the transformed data be presented in additional fields.

Preliminary Recommendation #6 *The Working Group could recommend that the field names of the Domain Name Relay Daemon be translated into as many languages as possible.*

The BC does not object to this recommendation but we would point out that translation of field names into "as many languages as possible" is a vague operational standard and will impose additional costs on the entities displaying field names for user entry.

"Non-Recommendation" #7 *Based on the recommendation #1-#6, the question of who should bear the burden translating or transliterating contact information to a single common script is moot.*

The BC supports mandatory transformation and does therefore not consider the issue moot. We believe the cost should be treated as part of the regular cost of doing business for the parties collecting and maintaining the information—registrars, registries, and resellers.

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These comments were drafted by Susan Kawaguchi, Ellen Blackler, Steve Coates, and Tim Chen, and approved in accord with the BC Charter.